



Carroll County Department of Fire & EMS Standard Operating Procedure

DOCUMENT DETAILS

Standard Operating Procedure: 2.13	Effective Date: June 8, 2023
Subject: Pregnancy/ Nursing Mothers Policy	Section: Human Resources
Authorized: Chief Michael Robinson	Revision Date: N/A

Applicability: Volunteer Career

I. PURPOSE

Carroll County Department of Fire and EMS (DFEMS) complies with all applicable laws requiring accommodating individuals with known limitations related to pregnancy, childbirth or related conditions in accordance with regulations and guidance issued by the Equal Employment Opportunity Commission. DFEMS does not discriminate against qualified individuals with known limitations related to pregnancy, childbirth, or related conditions in regard to application procedures, hiring, advancement, discharge, compensation, training and/or other terms, conditions and privilege of employment.

In addition, as part of our family-friendly policies and benefits, DFEMS supports breastfeeding mothers by accommodating the mother who wishes to express breast milk during her workday when separated from her newborn child.

II. DEFINITIONS

Lactation room: a dedicated or non-dedicated private space used by nursing mothers to express milk. Lactation rooms must be a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public.

Nursing mother: any individual who is currently breastfeeding or expressing milk for their child.

Pregnant Workers Fairness Act (PWFA): a federal law that requires employers with 15 or more employees to provide reasonable accommodations for the known limitations of a qualified individual related to pregnancy, childbirth or related conditions, unless it would cause an undue hardship.

Reasonable breaktime: breaks of 20 minutes or less are typically considered reasonable. The number of breaks may vary dependent upon the length of daily hours worked.

III. PROCEDURES

- A. DFEMS will reasonably accommodate qualified individuals with known limitations related to pregnancy childbirth and any medical condition related to the employee's pregnancy or childbirth (including, but not limited to, lactation or the need to express breast milk for a nursing child) unless the requested accommodation results in an undue hardship to DFEMS.
- B. Examples of reasonable accommodations for pregnancy, childbirth or related medical conditions may include, but are not limited to:
 - 1. Allowing for job restructuring;
 - 2. Instituting modified work schedules;
 - 3. Allowing for more frequent breaks;
 - 4. Acquiring or modifying equipment, uniforms (including safety apparel), or devices;
 - 5. Assigning an individual to light duty; and
 - 6. Accommodating an individual's inability to perform one or more essential functions of a job by temporarily suspending the requirement that the employee perform one or more essential functions of job, if the inability to perform the essential function is temporary and the employee is expected to be able to perform the function again in the near future.
- C. A pregnant employee is not required to notify or inform the Department of a pregnancy at any specific time during the pregnancy. However, the employee is strongly encouraged to discuss with their physician as early in the pregnancy as possible the nature of their work and the Essential Job Tasks of their position, and the impact, if any, that continuing to perform those Essential Job Tasks may have on the pregnancy or fetal development. To obtain more information about the impact a Full-Duty Assignment can have on pregnancy and an unborn fetus, pregnant employees are strongly encouraged to review NFPA 1582: Standard on Comprehensive Occupational Medical Program for Fire Departments, Annex D, Pregnancy Issues (2018), and discuss the information with their physician.
- D. A pregnant employee may continue to work in a Full-Duty Assignment so long as she can safely perform all Essential Job Tasks of their position. An employee is strongly encouraged to consult with their physician to make this decision and to re-assess the decision with their physician throughout the course of the pregnancy.
- E. If at any time the Department reasonably believes that the employee cannot perform the Essential Job Tasks in accordance with all safety and operational standards, the Department may require the employee to provide written certification from their physician that they may safely perform the Essential Job Tasks of their position or to undergo a Functional Capacity Evaluation to determine if the employee can perform the Essential Job Tasks. The results of such an evaluation shall be placed in the individual's Department Emergency Services Provider Medical File and shall be provided at the conclusion of the evaluation.
- F. A pregnant employee may seek a Modified Duty Assignment at any time during the pregnancy, whether or not a physician believes it is necessary. A pregnant employee may request a Modified Duty Assignment according to the procedures set out in Policy 2.11.

- G. A pregnant employee who is unable to perform the Essential Job Tasks of a Full-Duty Assignment or essential functions needed for Modified-Duty Assignment may be required to take leave, in compliance with applicable laws and/or County policies. The employee shall be required to provide documentation as required by applicable County policies.
- H. Qualified individuals may be entitled to reasonable accommodations under the PWFA even if they are not experiencing a pregnancy-related disability, as defined under the Americans with Disabilities Act.
- I. A nursing mother who desires to express breast milk during her workday should contact Human Resources and/or direct supervisor to make arrangements to use an appropriate lactation room. (Please see addendum for a list of lactation rooms.)
- J. DFEMS will provide reasonable breaktimes for a nursing mother to express breastmilk during working hours for her nursing child for up to one year after the child's birth, each time such employee has the need to express milk. Supervisors must work with nursing mothers to determine the necessary, reasonable break times, or flexible scheduling required to accommodate their unique needs. Employees must notify their supervisor before taking their nursing break to ensure proper coverage for their duties occurs. For additional breaktime, nursing mothers may need to use applicable accrued leave or work with their supervisors to discuss alternate solutions.
- K. Nursing mothers may store breast milk in any way or place needed, including, but not limited to communal breakroom refrigerators, personal coolers, etc. Employees storing milk in the refrigerator assume all responsibility for the safety of the milk and the risk of harm for any reason, including improper storage, refrigeration, and tampering. Any breast milk stored in the refrigerator must be labeled and/or initialed by the employee or stored in a secure manner as desired by the nursing mother.
- L. DFEMS will not take retaliatory action against an individual who requests or receives a reasonable accommodation related to pregnancy, childbirth or related conditions.
- M. DFEMS in coordination with the Department of Human Resources is responsible for implementing this policy, including the resolution of reasonable accommodation, safety and undue hardship issues. Contact them with any questions or requests for accommodation.

IV. RECISSION

This Standard Operating Procedure rescinds all directives regarding Pregnancy/Nursing Mothers Policy or similar content previously issued for personnel of the Carroll County Department of Fire & EMS.

V. RELATED STANDARD OPERATING PROCEDURES / DOCUMENTS

VI. ATTACHMENTS

Addendum: Lactation Rooms

- Mount Airy: Assistant Chief, EMS office – 2nd floor
- Winfield: DFEMS private bunk room – 1st floor
- Sykesville: DFEMS Lieutenant office and/or private bunk room #1
- Gamber: Private bunk room – 2nd floor
- Reese: Women’s private bunk room and/or Chief Office – 1st floor
- Taneytown: CCDFEMS career office – 2nd floor
- New Windsor: DFEMS private office
- Westminster: Private bridal lounge – 2nd floor
- Pleasant Valley: Private bunk room – 2nd floor
- LifeBridge Carroll County Hospital: Nursing mother room 3rd floor & Emergency Department staff nursing mother room – Emergency Department Charge Nurse will provide access